

§ 706.23

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opinions and interpretations prepared by Corporation attorneys or consultants, research studies performed internally or under contract for internal management purposes, and internal management reports; and

(6) Personnel files and related documents containing private or personal information.

(b) *Prohibition against disclosure.* Except as provided in Part 713 of this Chapter or by other law or regulation, no officer, employee or agent of OPIC shall disclose or permit the disclosure of any exempt records of OPIC or of any information described in paragraph (a) of this section to any person other than those OPIC officers, employees or agents properly entitled to such information for the performance of their official duties.

[53 FR 11993, Apr. 12, 1988, as amended at 64 FR 8241, Feb. 19, 1999]

§ 706.23 Public access to information and records.

(a) *Access to routinely available information.* Corporation facilities are available to the public between 8:45 a.m. and 5:30 p.m. (except for Saturdays, Sundays and official holidays) for obtaining copies of materials of the kind described in § 706.21(b). Persons wishing to obtain copies of such documents may request them by reporting in person to the Corporation receptionist, by telephoning the office of the Director of Public Affairs at (202) 457-7093 or by writing the Corporation to the attention of such officer.

(b) *Access to the public information files on claims.* Access by any member of the public to the Corporation's public information files on claim matters described in § 706.21(c) shall be granted by appointment only. Persons desiring such access may request an appointment by telephoning the Claims Assistant at (202) 457-7019 or by writing the Corporation to the attention of such officer. Although the Corporation will endeavor to grant an appointment at the time requested, some delay may be required at times because of the small size of the Corporation's staff. Persons desiring access to the public information files should seek an appointment at least twenty-four hours in advance.

(c) *Access to public information files on board matters.* Access by any member of the public to the Corporation's public information files described in § 706.21(d) shall be granted by appointment only. Persons desiring such access may request an appointment by telephoning the Corporate Secretary at (202) 457-7079 or by writing the Corporation to the attention of such officer.

(d) *Access to any records of the corporation not otherwise made available by the corporation to the public.* Access to records of the Corporation other than those described in paragraphs (b), (c), and (d) of § 706.21, or the duplication of such records, shall be granted only upon specific written request to the Corporation addressed to the Vice President, Office of Corporate Communications, which shall be deemed not to have been received until actual receipt thereof by such officer or his designee. Such request shall, to the extent required under the law, accurately describe the records as to which access or duplication is requested including, by way of example only, the subject matter, format, date, and where pertinent, the country, project or person involved. Any request which does not describe such records in sufficient detail to permit the staff of the Corporation promptly to locate them shall be deemed not to have been received by the Corporation until such time as the requester has clarified the request to meet this standard. The Corporation will make every reasonable effort by telephone or by letter to assist the person making the request to be more specific in describing the document or information sought.

§ 706.24 Notification of corporation action.

Persons making a request for disclosure normally will be notified of the availability of the material within ten working days after the date of receipt of the request. The information or records subject to release shall be made available promptly provided the requirements of § 706.26 regarding payment of fees are satisfied. Any denial of a request in whole or in part shall be made in writing and such notification

shall set forth the reasons for the denial. Any person whose request for information has been denied may appeal from such determination in accordance with the provisions of § 706.27 of this part.

§ 706.25 Extension of time.

Although the Corporation will make every effort to respond to an initial request for disclosure of information within ten working days, there may be delays because of the Corporation's limited staff. Moreover, in certain circumstances the period of time within which the Corporation will respond to an initial request will be extended by an additional ten working days. Circumstances which would necessitate such an extension include the following:

(a) The need to search for and collect requested records from storage facilities located outside Corporation premises;

(b) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request;

(c) The need for consultation with another agency having a substantial interest in the determination of the request, or among two or more components of the agency having substantial subject-matter interest therein; or

(d) The need to notify the submitter of confidential business information of the request and to allow a reasonable period for objection to disclosure per § 706.31 of this part.

It is the practice of the Corporation to inform a requester in writing or by telephone of any anticipated delays.

§ 706.26 Fees.

(a) *General policy.* A fee representing direct costs shall be charged for services rendered by the Corporation under 5 U.S.C. 552(a) in furnishing information to members of the public, in accordance with the provisions of paragraph (c) of this section and as required or permitted by law.

(b) *Anticipated fees.* A letter requesting a document or information should specifically state that all costs chargeable under this section will be paid or, alternatively that they will be paid up

to a specified limit. If the letter makes no reference to anticipated fees, and the request is expected to involve fees in excess of \$25, or it is estimated by the Corporation that the fee will exceed the dollar limit specified in the request, the Corporation will notify the requester of the estimated fee promptly upon receipt of the request. The request will not be deemed to have been received until the Corporation receives a reply from the requester stating its willingness to pay the estimated fee.

(c) *Uniform fee schedule.* Fees will be charged in accordance with the category of the requester and as specified below. All photocopying costs will be assessed at the rate of \$0.15 per page.

(1) *Commercial use requesters.* "Commercial use requesters," as that term is defined in § 706.13 of this part, will be charged the direct cost of all time spent searching for and reviewing for release the records requested. Search costs are \$13 per hour. Review costs are \$33 per hour. Search and review costs will be assessed even though no records may be found or, after review, there is no disclosure of records. All pages photocopied will be assessed at the rate set out above.

(2) *Educational and non-commercial scientific institution requesters.* The Corporation will provide records to "educational institutions" or "non-commercial scientific institutions," as those terms are defined in § 706.13 (b)(7) and (b)(9) of this part, for the cost of reproduction alone. No fee will be charged for the costs of photocopying the first 100 pages of documents encompassed by a request. The fee for all pages photocopied will be assessed at the rate set out above. To be eligible for inclusion in this category, requesters must show that the request is being made under the auspices of a qualifying "educational institution" or "non-commercial scientific institution" and that the records are sought in furtherance of scholarly (if the request is from an educational institution) or scientific (if the request is from a non-commercial scientific institution) research.

(3) *Representatives of the news media.* The Corporation shall provide records to "representatives of the news media," as that term is defined in